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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 WILLIE J. CAUSEY, JR.,

12 Plaintiff,

13 v.
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15 U.S. BANK NATIONAL)
16 ASSOCIATION, TRUSTEE FOR)
17 LEHMAN BROTHERS-STRUCTURED)
18 ASSET INVESTMENT LOAN TRUST)
19 SAIL 2006-BNC3, AND DOES 1-10,)

20 Defendants.
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) Case No.: CV08-03460 MWF (CWx)

) **FINAL JUDGMENT**

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1 Plaintiff Willie J. Causey's Motion for Summary Judgment came on regularly
2 for hearing on July 9, 2012. The Court, having read and considered the supporting
3 points and authorities and evidence, having heard the arguments of counsel, and
4 good cause appearing therefore, HEREBY ORDERS AND DECREES that
5 Plaintiff's Motion for Summary Judgment is GRANTED. (Docket No. 133 (Order
6 Granting Plaintiff's Motion for Summary Judgment)). Defendant U.S. BANK
7 NATIONAL ASSOCIATION, TRUSTEE FOR LEHMAN BROTHERS-
8 STRUCTURED ASSET INVESTMENT LOAN TRUST SAIL 2006-BNC3 ("U.S.
9 Bank") filed and subsequently dismissed its Counter-Complaint. (Docket Nos. 137,
10 151).

11 In light of the foregoing, in accordance with the Order, and pursuant to Rule
12 58(d) of the Federal Rules of Civil Procedure,

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

- 14 1. Judgment is entered against Defendant and in favor of Plaintiff.
- 15 2. Pursuant to the Truth in Lending Act ("TILA"), 15 U.S.C. §§ 1601 *et seq.*,
16 Plaintiff properly rescinded the subject mortgage. Defendant lost any
17 security interest in the subject property when it failed to comply with the
18 statutory requirements of TILA.
- 19 3. Pursuant to TILA, 15 U.S.C. Section 1640(a)(3) and Local Rule 54-12,
20 Plaintiff as the prevailing party, is entitled to recovery of attorneys' fees.
21 On April 19, 2012, the Ninth Circuit awarded Plaintiff \$19,005.00 in
22 attorneys' fees for Plaintiff's successful appeal in this matter. On October
23 17, 2012, this Court awarded Plaintiff attorneys' fees for this case in the
24 amount of \$113,295.00. (Docket No. 142). On December 11, 2012, this
25 Court awarded Plaintiff \$2,100.00 in attorneys' fees for Plaintiffs' legal
26 fees incurred as a result of US Bank's recording of a lis pendens that was
27 substantially unjustified and ordered expunged. (Docket No. 149).

28 Attorneys' fees awarded to Plaintiff in this matter as of this judgment are

1 \$134,400.00.

2 4. Plaintiff may submit an application to tax costs according to proof.

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4 IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Michael W. Fitzgerald", is written over a horizontal line.

5
6 January 17, 2013

7 Date

MICHAEL W. FITZGERALD
United States District Judge